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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,437	12/03/2003	Robert B. O'Hara JR.	6561/53788	5828

30505 7590 04/26/2007

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EXAMINER	
SHEDRICK, CHARLES TERRELL	
ART UNIT	PAPER NUMBER
2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/726,437	O'HARA ET AL.	
	Examiner	Art Unit	
	Charles Shedrick	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 February 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 December 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

In regards to the Applicants arguments and in reference to Reichmeyer et al. the following remarks are provided to clarify the Examiner's interpretation of the reference.

Managing Connections

Col. 4 lines 51 –61 gives a detailed description of the Central Server.

The network 22 is shown to include a central management system 24 that includes, inter alia, a central configuration server 26 coupled to a topology database 28. The topology database 28 is utilized by the central management system 24 to store and retrieve information concerning the physical and logical topology of the network 22. Specifically, the physical topology information includes descriptions of physical network devices, and their physical connectivity.

In other words, the topology of the network is maintained/managed in a topology database.

Col. 5 lines 6-8 teach that *The topology database 28 gathers this information, and utilizes it to construct physical and/or logical representations of the network 22. The topology database 28 may also be manually configured thus allowing new networks to be designed and classified.*

Monitoring

The Examiner respectfully notes that the claim language outlines "monitoring" however, there is nothing in the claim language that restricts when the monitoring takes place (e.g., upon boot-up initially, continuously, or intermittent). Furthermore, col. 6 lines 7 –13 teaches that *Configuration files 58 are shown to be stored on the central configuration server 26, and are delivered therefrom to routers according to the methodologies discussed below. The DHCP server 52 is responsive to DHCP clients (not shown) hosted on network devices, in the manner*

described above. Upon boot of a network device or when triggered by a system administrator, a DHCP client transmits a DHCP discover message 112 on each of its interfaces. The DHCP server 52, in response to the receipt of discover messages 112, may function to direct a network device to a configuration file based on the identifier supplied within a discover message.

In other words, the message identifies a computer network of at least one central control element for a configuration file as described above. Recalling from above that now the network device is associated with the central control element and the central control element manages the connections (e.g., the topology database) between network device and other remote devices within the network.

Wireless Communication:

Col. 11 line 65 teaches that the invention (Reichmeyer et al.) may be applicable to wireless implementations, which amongst other things provides additional motivation to combine with the citied combination(s).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6, 8-9, and 11-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer et al., US Patent No.: 6,286,038 B1, hereinafter, "Reichmeyer", in view of Gandolfo US Patent Pub. No.: 2003/0224787 A1.

Consider **claim 1**, Reichmeyer teaches a network system (i.e., see figures) comprising at least one access element for communication with at least one remote client element (i.e. summary of the invention, and more specifically i.e., see network device 61 of figure 8), wherein the at least one access element is operative to transmit neighbor messages (i.e., see at least figure 8, claims 1 and 27), and at least one central control element for controlling and managing connections between access elements and remote client elements (i.e., see central configuration server 26 of figure 8), a method facilitating the initialization and configuration of an access element (i.e., see at least the abstract), comprising receiving messages from one or more neighboring access element (e.g., upon boot-up or triggered by an admin)(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17), the messages

identifying a corresponding computer network address of at least one central control element(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); selecting a central control element identified in one or more detected messages(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); transmitting, using a corresponding computer network address, a request the selected central control element(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27) and associating the access element with the selected central control element to cause the selected control element to manage connections between the access element and one or more remote client elements (e.g., see response to arguments)

However, Reichmeyer does not specifically teach a wireless access elements in a wireless system, monitoring at a wireless access element for wireless neighbor messages from one or more neighboring wireless access elements, the wireless neighbor messages identifying a corresponding computer network address of at least one central control element.

In analogous art, Gandolfo teaches a wireless access elements in a wireless system (e.g., see figure 4A), monitoring at a wireless access element for wireless neighbor messages from one or more neighboring wireless access elements (e.g., see at least paragraph 0083 and 0095), the wireless neighbor messages identifying a corresponding computer network address of at least one central control element (e.g., see at least paragraph 0017, 0039, 0050-0051).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include a wireless access elements in a wireless system, monitoring at a wireless access element for wireless neighbor messages from

one or more neighboring wireless access elements, the wireless neighbor messages identifying a corresponding computer network address of at least one central control element for the purpose of element configuration as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations.

Consider **claim 11**, Reichmeyer teaches in a network system comprising at least one access element for communication with at least one remote client element (i.e. summary of the invention, and more specifically i.e., see network device 61 of figure 8), and at least one central control element for controlling and managing connections between access elements and remote client elements (i.e. summary of the invention, and more specifically i.e., see 26 of figure 8), a method facilitating the initialization and configuration of an access element (i.e., see at least abstract), comprising detecting, at least access element , at least one neighboring access element(e.g., neighbor discovery or configuration info)(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); receiving at least one message from the at least one neighboring access element(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27), the at least one message identifying a corresponding computer network address(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); selecting a central control element identified in on or more received messages over a wired computer network(e.g.., upon boot-up or triggered by the administrator)(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); transmitting, using a corresponding computer

network address, a request to the selected central control element over a wired computer network (i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27) and operating in an access point(e.g., an network device) mode under control of the selected control element (e.g., the central mgmt. system manages the configuration files and topology and therefore provides a level of control over how the network devices/ access points communicate with the network)(see response to arguments above in addition to cited section)(claims 1 and 27)

However, Reichmeyer does not specifically teach receiving at least one wireless message from at least one neighboring access element, the at least one message identifying a corresponding address of at least one central control element.

In analogous art, Gandolfo teaches receiving at least one wireless message from at least one neighboring access element, the at least one message identifying a corresponding address of at least one central control element (e.g., see at least paragraph 0017, 0039, 0050-0051).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include receiving at least one wireless message from at least one neighboring access element, the at least one message identifying a corresponding address of at least one central control element for the purpose of element configuration as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations.

Consider **claim 14** Reichmeyer teaches apparatus for communication with at least one remote client element and for communication with a central control element (i.e. summary of the

invention, and more specifically i.e., see network device 61 of figure 8); a network interface for communication with a central control element over a computer network (i.e., see the network interface of figure 12); an access point module controlling the network interface (i.e., the processor of figure 12), wherein the access point module is operative to: establish and maintain, in conjunction with a central control element, connections with remote client elements(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27), receive control data from a central control element(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); and a configuration module (i.e., 226 of figure 12 see also col. 11 lines 48-55) operative to: receive messages from at least one neighboring access element, the messages a corresponding computer network address(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); select a central control element(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); transmit, using a corresponding computer network address, a request to the selected central control element(i.e., summary of the invention, and more specifically i.e., see figure 8 and col. 7 line 59- col. 8 line 17 and claims 1 and 27); and associating the access element with the selected central control element to cause the selected control element to manage connections between the access element and one or more remote client elements (e.g., see response to arguments)

However, Reichmeyer does not specifically teach a wireless access elements in a wireless system, monitoring at a wireless access element for wireless neighbor messages from one or

more neighboring wireless access elements, the wireless neighbor messages identifying a corresponding computer network address of at least one central control element.

In analogous art, Gandolfo teaches a wireless access elements in a wireless system (e.g., see figure 4A), monitoring at a wireless access element for wireless neighbor messages from one or more neighboring wireless access elements (e.g., see at least paragraph 0083 and 0095), the wireless neighbor messages identifying a corresponding computer network address of at least one central control element (e.g., see at least paragraph 0017, 0039, 0050-0051).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include a wireless access elements in a wireless system, monitoring at a wireless access element for wireless neighbor messages from one or more neighboring wireless access elements, the wireless neighbor messages identifying a corresponding computer network address of at least one central control element for the purpose of element configuration as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations.

Consider **claim 2 and the method of claim 1**, Reichmeyer as modified by Gandolfo teaches the claimed invention further comprising exchanging configuration information with the selected central control element (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 3 and the method of claim 1**, Reichmeyer as modified by Gandolfo teaches the claimed invention transmitting discovery requests over a wired computer network;

monitoring for discovery responses to the discovery requests (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27), each discovery response identifying a central control element (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 4 and the method of claim 3**, Reichmeyer teaches wherein the selecting step comprises selecting a central control element identified in a neighbor message or a discovery response (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

However, Reichmeyer does not specifically teach a wireless system where the neighbor messages are transmitted wirelessly.

In analogous art, Gandolfo teaches a wireless access elements in a wireless system (e.g., see figure 4A), a wireless system where the neighbor messages are transmitted wirelessly. (e.g., see at least paragraph 0083 and 0095).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include a wireless system where the neighbor messages are transmitted wirelessly for the purpose of element configuration as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations.

Reichmeyer teaches a representation of a machine 220 which may comprise a server, router, switch, or any other computer system or network device.

Consider **claim 5 and the method of claim 3**, Reichmeyer teaches wherein the selecting comprises selecting a central control element identified in a neighbor message and a discovery response (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

However, Reichmeyer does not specifically teach a wireless system where the neighbor messages are transmitted wirelessly.

In analogous art, Gandolfo teaches a wireless access elements in a wireless system (e.g., see figure 4A), a wireless system where the neighbor messages are transmitted wirelessly. (e.g., see at least paragraph 0083 and 0095).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include a wireless system where the neighbor messages are transmitted wirelessly for the purpose of element configuration as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations. Reichmeyer teaches a representation of a machine 220 which may comprise a server, router, switch, or any other computer system or network device.

Consider **claim 6 and as applied to the method of claim 2**, Reichmeyer as modified by Gandolfo teaches wherein the information includes the computer network addresses of the central control elements in an administrative group associated with the selected central control element (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 8 and as applied to the method of claim 2**, Reichmeyer as modified by Gandolfo teaches wherein the exchanged information allows for operation in an access point mode under the control of the selected central control element (i.e., the mode of operation is based on the configuration file) (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 9 and as applied to the method of claim 8**, Reichmeyer as modified by Gandolfo teaches the claimed invention further comprising operating in an access point mode under control of the selected central control element (i.e., the central configuration server controls what configurations are sent to the network device which in turn controls the operation of the network device) (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 12 and as applied to the method of claim 11**, Reichmeyer as modified by Gandolfo teaches wherein the at least one message is a neighbor message (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 13 and as applied to the method of claim 11**, Reichmeyer teaches the claimed invention except comprising establishing a wireless connection with a detected neighboring access element to receive the at least one message.

In analogous art, Gandolfo teaches establishing a wireless connection with a detected neighboring access element to receive the at least one message (e.g., see at least paragraph 0083 and 0095).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include establishing a wireless connection with a detected neighboring access element to receive the at least one message as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations.

Reichmeyer teaches a representation of a machine 220 which may comprise a server, router, switch, or any other computer system or network device.

Consider **claim 15 and as applied to the apparatus of claim 14**, Reichmeyer as modified by Gandolfo teaches wherein the configuration module is further operative to exchange configuration information with the selected central control element (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 16 and as applied to the apparatus of claim 14**, Reichmeyer as modified by Gandolfo teaches wherein the configuration module is further operative to transmit discovery requests over a wired computer network (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27); and monitor for discovery responses to the discovery requests (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27), each discovery response identifying a central control element (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

Consider **claim 17 and as applied to the apparatus of claim 16**, Reichmeyer teaches wherein the selecting comprises selecting a central control element identified in a neighbor message and a discovery response (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

However, Reichmeyer does not specifically teach a wireless system where the neighbor messages are transmitted wirelessly.

In analogous art, Gandolfo teaches a wireless access elements in a wireless system (e.g., see figure 4A), a wireless system where the neighbor messages are transmitted wirelessly (e.g., see at least paragraph 0083 and 0095).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include a wireless system where the neighbor messages are transmitted wirelessly for the purpose of element configuration as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations.

Reichmeyer teaches a representation of a machine 220 which may comprise a server, router, switch, or any other computer system or network device.

Consider **claim 18 and as applied to the apparatus of claim 14**, Reichmeyer teaches wherein the access point module is operative to tunnel traffic associated with remote client elements to a central control element (i.e., traffic traversing the network device to access the server) (i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27).

However, Reichmeyer does not specifically teach transmitting wireless traffic.

In analogous art, Gandolfo teaches a transmitting wireless traffic (e.g., see at least paragraph 0083 and 0095).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer to include transmitting wireless traffic for the purpose of element configuration as taught by Gandolfo. Gandolfo teaches that the invention can be applied to any wireless network and Reichmeyer teaches that the invention may be applicable to any wireless implementations.

Reichmeyer teaches a representation of a machine 220 which may comprise a server, router, switch, or any other computer system or network device.

Consider **claim 19 and as applied to the apparatus of claim 14**, Reichmeyer as modified by Gandolfo teaches wherein the access point module is operative to switch to a neighbor message mode at periodic intervals to transmit neighbor messages (i.e., configuration changes)(i.e., summary of the invention, and more specifically i.e., **see figure 8** and col. 7 line 59- col. 8 line 17 and claims 1 and 27),

Claims **7 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Reichmeyer et al., US Patent No.: 6,286,038 B1, hereinafter, "Reichmeyer", in view of Gandolfo US Patent Pub. No.: 2003/0224787 A1 and further in view of Collins US Patent No.: 6,917,819 B2.

Consider **clams 7 and 10 and as applied to claims 6 and 9**, Reichmeyer as modified by Gandolfo teaches the claimed invention further comprising a central control element (i.e., see at least 26 of figure 8).

However, Reichmeyer as modified by Gandolfo does not specifically teach after detecting the failure of the selected central control element, selecting a second central control

element from the administrative group; using the computer network address of the selected second central control element to exchange configuration information with the selected second control element.

In the analogous art Collins teaches after detecting the failure of the selected database (i.e., col. 16 lines 11-23 and col. 12 lines 29-36) selecting a second database from the administrative group (i.e., col. 16 lines 11-23 and col. 12 lines 29-36); using the computer network address of the selected second database to exchange configuration information with the selected second database (i.e., col. 16 lines 11-23 and col. 12 lines 29-36).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Reichmeyer as modified by Gandolfo to include after detecting the failure of the selected central control element, selecting a second central control element from the administrative group; using the computer network address of the selected second central control element to exchange configuration information with the selected second control element for the purpose of service availability as taught by Collins.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gunner et al. US Patent No.: 5,491,692 teaches access elements that relay other elements to central control elements.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Shedrick whose telephone number is (571)-272-8621. The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid Lester can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Charles Shedrick
AU 2617
April 15, 2007

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